



1 [Counsel listed on next page]
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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**

11 JEANETTE MERCADO, on behalf of herself
12 and all others similarly situated,

13 Plaintiff,

14 v.

15 EBAY INC., a Delaware Corporation,

16 Defendant.
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No. 20-cv-03053-SVK

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL WITH
PREJUDICE**

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PLEASE TAKE NOTICE THAT pursuant to Federal Rule of Civil Procedure 41, Plaintiff Jeanette Mercado, a settlement agreement being duly executed, voluntarily dismisses with prejudice the above-captioned action against Defendant EBAY, INC. Defendant has not served an answer or a motion for summary judgment in this proceeding and Plaintiff has not filed a motion for class certification. Dismissal with prejudice is therefore appropriate without a court order. Fed. R. Civ. P. 41(a)(1)(A)(i) and (a)(1)(B); Fed. R. Civ. P. 23(e) (requiring court approval of voluntary dismissals only for a certified class).

Dated: December 4, 2020.

Respectfully submitted,

By: /s/ Alan Kang

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